

MAUREEN MCOWEN  
KEVIN E. FRIEDL  
JONATHAN REISCHL  
TRACY L. HILMER  
ALICIA FERRARA  
(202) 435-9202  
maureen.mcowen@cfpb.gov  
kevin.friedl@cfpb.gov  
jonathan.reischl@cfpb.gov  
tracy.hilmer@cfpb.gov  
alicia.ferrara@cfpb.gov  
1700 G Street, NW  
Washington, DC 20552

*Attorneys for Plaintiff Bureau of  
Consumer Financial Protection*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

BUREAU OF CONSUMER FINANCIAL  
PROTECTION,

*Plaintiff,*

v.

PROGREXION MARKETING, INC., *et al.*,

*Defendants.*

Case No. 2:19-cv-00298-BSJ

## PLAINTIFF'S NOTICE

Plaintiff Bureau of Consumer Financial Protection writes to notify the Court of new developments related to the issues discussed at the motion hearing of January 9, 2023.

On February 27, the Supreme Court granted the Bureau's request that it review the Fifth Circuit's outlier ruling concerning the Bureau's method of funding. *CFPB v. Community Financial Services Ass'n of America, Ltd.*, No. 22-448. The Court denied CFSA's cross-petition seeking certiorari on other issues. *CFSA v. CFPB*, No. 22-663.

The Bureau asked the Supreme Court to set the case for argument this spring, but the Court has not done so. The Bureau expects the case to be argued in the fall, which means that it may not be decided until June 2024.

For the reasons the Bureau has previously stated, *see, e.g.*, ECF No. 498 at 4-6, including at the January 9 hearing, there is no reason to delay any aspect of this case for the year or more it may take the Supreme Court to resolve *CFSA*.

Dated: February 27, 2023

Respectfully submitted,

/s/ Jonathan Reischl  
MAUREEN MCOWEN  
KEVIN E. FRIEDL  
JONATHAN REISCHL

TRACY L. HILMER  
ALICIA FERRARA  
Bureau of Consumer Financial Protection  
1700 G Street, NW  
Washington, DC 20552  
Telephone: (202) 435-9202  
maureen.mcowen@cfpb.gov  
kevin.friedl@cfpb.gov  
jonathan.reischl@cfpb.gov  
tracy.hilmer@cfpb.gov  
alicia.ferrara@cfpb.gov

*Attorneys for Plaintiff Bureau of  
Consumer Financial Protection*